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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,071	10/05/2001	Ajit Nair	100.248US01	4536

34206 7590 03/05/2004  
FOGG AND ASSOCIATES, LLC  
P.O. BOX 581339  
MINNEAPOLIS, MN 55458-1339

EXAMINER

MOFIZ, APU M

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 03/05/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/972,071

Applicant(s)

NAIR ET AL.

Examiner

Apu M Mofiz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

DIANE D. MIZRAHI  
PRIMARY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments submitted on 01/26/04 with respect to claims 1-16 have been reconsidered but are not deemed persuasive for the reasons set forth below.

Applicant argues that applicant's amendment overcomes the Examiner's rejection.

Examiner respectfully disagrees.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Bahlmann (US Patent No. 6,195,689 B1).

As to claims 1,4,7,10,12,15 and 16, Bahlmann teaches a central provisioning database (i.e. "The present invention includes a web server program that allows the users access from anywhere on the networks. A configuration file is provided to adapt to any unique characteristics of the hosting computer. Customized Application Program

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Interface code provides communications with provisioning servers from different vendors." ... "Another object is to provide a central database for storing the records provided by the user." ... "Shell script 212 translates the interfaces between the tool application 200 and web server program 206 to accommodate web server programs 206 from different vendors. Application Program Interface (API) 214 translates message and interface formats between the tool application program 200 and server programs 216-220. Client provisioning server program 216 is a DHCP server program used to provisioning the subscribers. Cable modem provisioning server 218 is a BOOTP or DHCP/BOOTP server program used provision the cable modems and headend nodes" ... "During additions and modifications to the database 204, a communication path is opened between the tool application program 200 and the provisioning server programs 216 and 218 thru API 214." ... "Communications with provisioning server programs from other vendors require different scripts in the API 214 to generate the appropriate commands and/or files.") (The examiner asserts that the central database 204 stores data about various vendor's provisioning/ configuration data. The provisioning/subscriber's data gets updated by various vendor's users or vendors provisioning servers. The central database is located on the Internet. The user can access their corresponding data through a web browser or a client provisioning server can access their and only their data through a API. One vendor cannot change another vendor's data in the central database. They all use unique/customized APIs to access/modify/delete their provisioning data. The central system uniquely identifies each vendor. Therefore separate data structures/ tables/ databases are allocated for

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different vendors. For the central database system whether it's a user or another provisioning server is just another identifiable entity. Even the user's request/query goes through another web server/ provisioning server and gets translated into a method which uses some DBMS API; For example, In the reference Provisioning server 216 provisions the subscribers and the provisioning server 218 provisions the cable modems and head-ends and therefore have access to two different data structures; One can not be used to work on other data structure) (Fig. 1; Fig. 2; col 2, lines 1-25; col 4, lines 5-35; col 5, lines 25-60); and a plurality of provisioning servers (Fig. 1; Fig. 2; col 2, lines 1-25; col 4, lines 5-35; col 5, lines 25-60); wherein the central provision database (Fig. 1; Fig. 2; col 2, lines 1-25; col 4, lines 5-35; col 5, lines 25-60) comprises a first data structure (Fig. 1; Fig. 2; col 2, lines 1-25; col 4, lines 5-35; col 5, lines 25-60) containing provisioning information for a plurality of globally accessible configuration resources that are globally accessible (Fig. 1; Fig. 2; col 2, lines 1-25; col 4, lines 5-35; col 5, lines 25-60) by the plurality of provisioning servers (Fig. 1; Fig. 2; col 2, lines 1-25; col 4, lines 5-35; col 5, lines 25-60) and second data structure (Fig. 1; Fig. 2; col 2, lines 1-25; col 4, lines 5-35; col 5, lines 25-60) containing provisioning information for a plurality of restricted configuration resources access to which by the plurality of provisioning servers is restricted (Fig. 1; Fig. 2; col 2, lines 1-25; col 4, lines 5-35; col 5, lines 25-60).

As to claims 2,3,5,6,8,9,11,13 and 14, the limitations of these claims are either taught or suggested in the rejected claims above.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Points of Contact***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Apu M. Mofiz whose telephone number is (703) 605-4240. The examiner can normally be reached on Monday – Thursday 8:00 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached at (703) 305-3830. The fax numbers for the group is (703) 746-7239.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Apu M. Mofiz  
Patent Examiner  
Art Unit 2175

March 05, 2004

DIANE D. MUZRAH  
PRIMARY PATENT EXAMINE  
TECHNOLOGY CENTER 2106